

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Minutes
August 23, 2007
1:30 p.m.**

ADDENDUM

1. RETAIL

a. CITY LIQUOR OF RIPLEY RIPLEY, TENNESSEE (LAUDERDALE COUNTY)

Applicant: Robert Logan Tims

Before the Commission is a request for a new retail store to be located at 787 Highway 51 N. in Ripley, Tennessee. Robert Tims seeks approval to open a retail store as a sole proprietorship. He intends to initially invest \$100,000 to operate the business. Financing is based upon a line of credit with Lauderdale County Bank. Mr. Tims has submitted a lease option with Sam Forsythe; however, the option is contingent upon the issuance of a license and does not provide any details. All documentation has been submitted with the exception of the following:

- a. Lease Agreement;
- b. Deed to Sam Forsythe;
- c. Line of Credit Agreement;
- d. TABC Inspection and Investigation; and
- e. Affidavit that brother, Tom Tims, has no interest, directly or indirectly, in this business.

Discussion/Action Taken:

Director Elks reviewed the application to the Commission and recommended approval upon submission of the following documentation:

- a. Lease Agreement;
- b. Deed to Sam Forsythe;
- c. Line of Credit Agreement;
- d. TABC Inspection and Investigation; and
- e. Affidavit that brother, Tom Tims, has no interest, directly or indirectly, in this business.

Commissioner Mathews requested to make a statement for the record. Commissioner Mathews stated that he received a phone call from a friend in Lauderdale County stating that a couple of applications were ready to be submitted

and wanted to know if they could be on the next agenda. Commissioner Mathews stated that he suggested that the applicants take the applications to the Memphis office and talk with an agent and ask if they could expedite the operation. Commissioner Mathews stated that is the extent of his knowledge of the applicants. Director Elks stated that if the investigation found something extraordinary, she would bring it back before the Commission meeting.

Discussion/Action Taken:

Director Elks recommended approval upon submission of the following documentation:

- a. Lease Agreement;
- b. Deed to Sam Forsythe;
- c. Line of Credit Agreement;
- d. TABC Inspection and Investigation; and
- e. Affidavit that brother, Tom Tims, has no interest, directly or indirectly, in this business.

Commissioner Bond made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it passed with 3 ayes.

**b. SPIRITS OF HALLS
HALLS, TENNESSEE (LAUDERDALE COUNTY)**

Applicant: Tom Tims

Before the Commission is a request for a new retail store to be located at 11722 Highway 51 N., in Halls, Tennessee. Tom Tims seeks approval to open a retail store as a sole proprietorship. He intends to initially invest \$100,000 to operate the business. Financing is based upon a line of credit with Lauderdale County Bank. Mr. Tims has is leasing the property from Grassy Hill Properties, Inc. for \$500/month until the lease is cancelled or modified. All documentation has been submitted with the exception of the following:

- a. TABC Inspection and Investigation;
- b. Deed to Grassy Hill Properties;
- c. Acknowledgement of the rules/regulations;
- d. Line of Credit Agreement;
- e. Affidavit that brother, Robert Tims, has no interest, directly or indirectly, in this business.

Discussion/Action Taken:

Director Elks reviewed the application. Director Elks recommended approval upon submission of the following documentation:

- a. TABC Inspection and Investigation;
- b. Deed to Grassy Hill Properties;
- c. Acknowledgement of the rules/regulations;
- d. Line of Credit Agreement;
- e. Affidavit that brother, Robert Tims, has no interest, directly or indirectly, in this business.

Commissioner Bond made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it passed with 3 ayes.

II. WINERIES

The TABC has received emergency notification from Commissioner Ken Givens, Department of Agriculture, that due to the freeze conditions in April, 2007, and subsequent drought conditions, approximately 80% of the grape and fruit crop has been lost for this year. The Department of Agriculture has confirmed the non-existence or non-availability of the following grapes and fruits:

Grapes: Alwood, Baco Noir, Cabernet, Cabernet Franc, Cabernet Sauvignon, Campbell's Early, Catawba, Cayuga, Chambourcin, Chancellor, Ghardonelle, Chardonnay, Concord, Cynthiana, De Chaunac, Edelweiss, Elvira, Foch, Fredonia, Gewurztraminer, golden Muscat, Ives, Kaye Gray, Martha, Merlot, Muscadine, Niagara, Peite Verdot, Pinot Gris, Riesling, Rogeon, Sauvignon Blanc, Seyval Blanc, Shiraz, Steuben, Sunbelt, Syrah, Traminette, Vidal, Viognier, Zinfandel.

Fruit: Apple, Blackberry, Blueberry Cherries, Honey, Peach, Raspberry, Rhubarb, and Strawberries.

Pursuant to prior Commission's permission, the TABC staff has approved the following requests for J-6 waivers:

**A. Smokey Mountain Winery
Gatlinburg, Tennessee**

Carlos Muscadine (5500 gallons), Niagara (1675 gallons), Concord (2225 gallons), Vidal Blanc (1120 gallons), Cayuga White (1120 gallons), Chardonnay (600 gallons), Chambourcin (600 gallons), Cabernet (600 gallons), Riesling (600 gallons).

The request for Leon Millot was denied as the grape was not included in the list developed by the Department of Agriculture.

Discussion/Action Taken:

Director Elks advised the Commission that emergency J-6 Waivers were approved at the June Commission meeting. Director Elks stated that pursuant to the circumstances surrounding the earlier freeze that destroyed a lot of the grape and fruit crop, the Commission gave the staff permission to approve J-6 Waivers as they came into the office. Director Elks stated the Smokey Mountain Winery's J-6 Waiver was approved by the staff. Chairman Jones made a motion to approve. Commissioner Mathews seconded the motion and it passed with 3 ayes.

**B. Savannah Oaks Winery
Delano, Tennessee**

Baco Noir (550 gallons), Foch (550 gallons), Stuben (550 gallons), Merlot (550 gallons), Niagara (550 gallons), Concord (550 gallons), Blackberry (550 gallons), and Catawba (550 gallons).

The request for Pinot Noir was denied as the grape was not included in the list developed by the Department of Agriculture.

Discussion/Action Taken:

Director Elks stated the Savannah Oaks Winery's J-6 Waiver was approved by the staff. Commissioner Mathews made a motion to approve. Commissioner Bond seconded the motion and it passed with 3 ayes.

There being no further business the meeting was adjourned.

Shari Danielle Elks
Executive Director

John A. Jones
Chairman

